

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

V.

MARY ALICE REYNOLDS,
a/k/a "MARY YAKMOTO,"
a/k/a "MARY BEANE,"
a/k/a "MARY BELL,"

Defendant.

Case No. CR05-5562 RBL

ORDER

THIS MATTER comes on before the above-entitled Court upon Defendant's Motion pursuant to
28 U.S.C. § 2255,

Having considered the entirety of the records and file herein, the Court finds and rules as follows:

21 The defendant has presented to the Court for filing a motion pursuant to 28 U.S.C. § 2255. Motions
22 under § 2255 are only available to persons who are “in custody under a sentence of a [federal] court.” The
23 defendant has yet to be convicted, much less sentenced, on the charges pending before this Court.
24 Furthermore, on September 15, 2005, this Court entered an order requiring that the defendant be examined
25 pursuant to 18 U.S.C. § 4241(a) to determine her competency to proceed in this matter. Therefore, in order
26 to protect the defendant’s rights, the Clerk is directed to lodge this document in the criminal file, and is
27 directed not to open a civil case based upon this purported motion under 28 U.S. § 2255. Any consideration
28 of this motion will be stayed pending the outcome of defendant’s competency examination.

The Clerk shall send uncertified copies of this order to all counsel of record, and to any party appearing pro se.

Dated this 19th day of September, 2005.

Ronald B. Leighton
RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE